

Remarks

Prior to this amendment, claims 3-4 and 6-17 were pending. With the entry of this amendment, claims 1-13 and 17-20 will be canceled, and claims 14-16 will be allowed. Entry of this amendment returns the specification to that of the original continuation-in-part application filed January 24, 2002.

35 U.S.C. § 132

The Office objected to the specification for introducing new matter that was not supported in the specification as filed. Without acquiescing in the objection, Applicants cancel the Amendments to the Specification entered in Reply to the Office Action of July 28, 2003. See Reply to Office Action, filed December 23, 2003. Accordingly, Applicants respectfully request that the objection to the specification under 35 U.S.C. § 132 be withdrawn.

35 U.S.C. § 102(b)

The Office rejected claim 17 under 35 U.S.C. § 102(b) as anticipated by the Derwent English abstract of CN 1207942 A, U.S. Patent No. 5,466,443, and U.S. Patent No. 5,916,555. Without acquiescing in the rejection, Applicants cancel claim 17. Accordingly, the rejection to claim 17 under 35 U.S.C. § 102(b) may be withdrawn.

35 U.S.C. § 103

The Office rejected claims 3-4 and 6-13 as obvious over U.S. Patent No. 6,010,702 (the '702 patent) in view of several other references, using the rationale that it was known in the art at the time of the invention to use the claimed ingredients in compositions to treat dementia and that an artisan of ordinary skill would have a reasonable expectation that combining the composition taught by the '702 patent and

the ingredients recited in the other cited references would be useful in producing a composition useful in treating dementia.

Without acquiescing in the rejection, Applicants cancel claims 3-4 and 6-13. Accordingly, Applicants respectfully request that the objection to claims 3-4 and 6-13 under 35 U.S.C. § 103 be withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

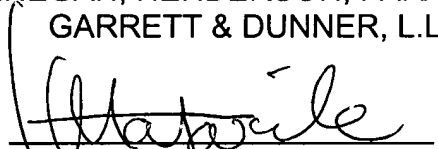
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 22, 2004

By:


Lisa M. Matovcik
Reg. No. 53,283